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REMARKS

Applicant wishes to thank the Examiner for considering the present application. In the Office Action dated June 13, 2006, claims 1-34 are pending in the application. Claims 22 and 24 have been withdrawn.

Claims 1, 3, 6-7, 9-13, 17, 19-21, 23, and 25-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Castiel et al. (U.S. Pub. 2002/0160710) in view of Demers et al. (U.S. Pat. No. 6,515,617 B1). Applicant respectfully traverses.

Applicant respectfully submits that the Demers reference is merely a Section 102(e) reference. Therefore, under the Section 35 U.S.C. § 103(c) exception, subject matter developed by another person which qualifies as prior art only under one or more of subsections (e) ... of Section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Applicant respectfully submits that the Demers reference and the present application were both owned by Hughes Electronics Corporation at the time of filing. Applicant, therefore, respectfully requests the Examiner to reconsider this rejection since the Demers reference is not available as a reference.

The remaining claims also include the Demers reference as a Section 103 reference. Therefore, Applicant respectfully requests the Examiner to reconsider each of the remaining rejections as well.

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CONCLUSION

In light of the remarks above, Applicants submit that all objections and rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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